

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

---

EVER RIOS-NUNEZ,

Case No. 25-cv-1056 (LMP/DTS)

Petitioner,

v.

**ORDER ADOPTING  
REPORT AND RECOMMENDATION**

UNITED STATES OF AMERICA,

Respondent.

---

This matter is before the Court on the April 28, 2025 Report and Recommendation (“R&R”) of United States Magistrate Judge David T. Schultz, which recommends denial of Petitioner Ever Rios-Nunez’s habeas petition. *See* ECF No. 6. No party objected to the R&R, *see* Fed. R. Civ. P. 72(b)(2), so the Court reviews the R&R for clear error, *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Discerning no clear error, the Court adopts the R&R in full.

**ORDER**

Based upon all the files, records, and proceedings in this matter, **IT IS HEREBY ORDERED THAT:**

1. The Report and Recommendation (ECF No. 6) is **ADOPTED IN FULL**; and
2. The Petition (ECF No. 1) is **DISMISSED WITHOUT PREJUDICE**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: May 30, 2025

*s/Laura M. Provinzino*

Laura M. Provinzino

United States District Judge